

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1436 be amended to read as follows:

- 1 Page 1, between lines 11 and 12, begin a new paragraph and insert:
- 2 "SECTION 2. IC 4-13-17 IS ADDED TO THE INDIANA CODE AS
- 3 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1,
- 4 2004]:
- 5 **Chapter 17. Bonding for Historically Underutilized Businesses**
- 6 **Sec. 1. This chapter applies to a contract covered by any of the**
- 7 **following:**
- 8 **(1) IC 4-13.6.**
- 9 **(2) IC 5-16.**
- 10 **(3) IC 8-23-9.**
- 11 **Sec. 2. As used in this chapter, "historically underutilized**
- 12 **business" refers to a business that satisfies all of the following:**
- 13 **(1) The business is a small business.**
- 14 **(2) The business is a for-profit corporation, sole**
- 15 **proprietorship, partnership, or joint venture.**
- 16 **(3) More than fifty percent (50%) of the shares of stock or**
- 17 **other equitable securities of the small business are owned by**
- 18 **one (1) or more individuals who are either of the following:**
- 19 **(A) A member of a minority group (as defined in**
- 20 **IC 4-13-16.5-1).**
- 21 **(B) A woman.**
- 22 **Sec. 3. As used in this chapter, "small business" means an**
- 23 **entity that qualifies as a small business under 13 CFR 121 (as in**

1 effect on January 1, 2004).

2 Sec. 4. A contract to which this chapter applies may not require
3 a contractor or subcontractor to obtain a surety bond from any
4 specific insurance or surety company, agent, or broker.

5 Sec. 5. To the extent consistent with law, a contract to which
6 this chapter applies may require a contractor or subcontractor to
7 meet part or all of the bonding or insurance requirements for a
8 project under a negotiated arrangement.

9 Sec. 6. (a) The department of insurance shall establish a
10 program to provide surety technical assistance services to benefit
11 historically underutilized businesses.

12 (b) The department may contract with insurance companies,
13 surety companies, agents, or brokers to implement the program.

14 (c) The following shall assist the department of insurance in the
15 establishment and implementation of the program:

16 (1) The Indiana department of administration.

17 (2) The Indiana department of transportation."

18 Renumber all SECTIONS consecutively.

(Reference is to HB 1436 as printed January 30, 2004.)

Representative Crawford